

5/5/08 - Monday, May 5, 2008

CITY OF EAU CLAIRE

PLAN COMMISSION MINUTES

Meeting of May 5, 2008

City Hall, Council Chambers

7:00 p.m.

Members Present: Messrs. Buchanan, Duax, FitzGerald, Kayser, Larson, Levandowski, Vande Loo, Waedt

Staff Present: Messrs. Genskow, Noel, Tufte

The meeting was chaired by Mr. Levandowski.

1. REZONING (Z-1412-08) - TR-1A to C-3P, 3656 Mall Drive

Mr. Tufte presented the applicant's request to rezone property from Temporary R-1A to

C-3P and to adopt the General Development Plan for a rehabilitation facility at 3656 Mall Drive. The former health club at the site will be razed as part of the redevelopment. Other site improvements will be addressed at the time of final site plan.

Applicant, Disa Wahlstrand, from Ayres Associates, appeared in support. She stated the General Development Plan has been revised to include 50 beds and 57 parking stalls. They will also work with the Public Works Department to revise the front entrance turn-around for paratransit and other transportation services.

No one appeared in opposition during the public hearing.

The Commission discussed public transit and the problematic situation where per Federal requirements the City cannot cross over a town road when they don't financially support the bus service. Therefore, employees or people wishing to get to and from the rehabilitation facility using transit will need to cross Hwy. 93 from the nearest bus route.

Mr. FitzGerald moved to recommend approval with the conditions listed in the staff report. Mr. Vande Loo seconded and the motion carried.

**2. CONDITIONAL USE PERMIT (CZ-0809) - Duplex in R-2P District, 1011 Main Street
and
SITE PLAN (SP-0815) - Duplex, 1011 Main Street**

Mr. Noel stated the applicant, Everett Blakeley, Jr., is requesting approval of a site plan for a new duplex in a R-2P district and a conditional use permit because the lot is less than 10,000 square feet in size. The Eastside Hill Neighborhood Association decided the project and proposed front elevation was acceptable because the applicant had recently lost the ability for greater residential density due to a neighborhood downzoning.

Matt Blakeley, 1207 Bellevue Avenue, spoke in favor of the project. No one appeared in opposition.

Mr. FitzGerald moved to approve the site plan and conditional use permit with conditions listed in the staff report. Mr. Duax seconded and the motion carried.

3. CONDITIONAL USE PERMIT (CZ-0810) - Day Care in C-3 District, 3021 Mall Drive

Mr. Noel presented the conditional use permit request to allow a day care in C-3 district. The use is subject to State licensing and will have 3 employees. Parking and pick-up/drop-off is sufficient on site. The outdoor playground will be fenced and not conflict with traffic circulation around the building.

Applicants, Robert and Gail Petersen, spoke in favor of the project. No one appeared in opposition.

Mr. Vande Loo moved to approve the request with conditions listed in the staff report. Mr. Kasyer seconded and the motion carried.

4. CONDITIONAL USE PERMIT (CZ-0811) - Home Occupation, 1801 Lynnette Court

Mr. Noel presented a request for a hair salon home based business in a R-1 district. The home occupational use will be confined to the applicant's basement and be incidental to the single-family use. The applicant will be the only employee and the site provides enough parking for clientele.

Krystal Hunt spoke in favor of her request. No one appeared in opposition.

Mr. FitzGerald moved to approve the request with conditions listed in the staff report. Mr. Vande Loo seconded and the

motion carried.

5. GENERAL SITE DEVELOPMENT PLAN (PZ-0803) - Eau Claire County Court House Parking Deck

Mr. Tufte presented Ayres Associates' request for a General Site Development Plan approval of a new parking deck for law enforcement at the County Courthouse. The site is located in a P-Public district. The 46-stall parking deck structure will replace 28 surface stalls for a net gain of 18 stalls. Access to the deck will be from Grand Avenue. A portion of Second Avenue will have to be reconstructed per a cooperative agreement between the County/City to extend storm sewer within the right-of-way.

Disa Wahlstrand, from Ayres Associates, and project architect, Tom Poweleit, appeared in support. They noted the best management practices for stormwater management was allowed to be deferred by the Public Works Department because there is no net increase in impervious surface with the parking deck. Similarly to Luther Midlefort's parking ramp and hospital expansion, this deck project was decided first in sequencing in the much larger courthouse expansion. Law enforcement needs the additional vehicle parking regardless of other projects.

Ken Fulgione, 330 Lincoln Avenue, stated the deck project needs to be considered stand-alone from the larger courthouse project.

Commissioners Buchanan and Duax also agreed that the parking deck project needs to be considered as a stand-alone courthouse project.

Mr. FitzGerald moved to recommend approval of the request with conditions listed in the staff report. Mr. Waedt seconded and the motion carried.

6. CERTIFIED SURVEY MAP (CSM-3-08) - CSM Variance, Town of Washington

Mr. Tufte presented the variance request from surveyor Hiess-Loken to allow a lot less than 1.5 acres on a private septic system in the Town of Washington. The property is Nelson Auto Body on south Hwy. 93 and Friedeck Road. The owner would like to sell .5 acres to Prestige Auto (who currently leases the land), leaving property 1 acre in size. The 2005 Comprehensive Plan does not specify a given lot size and a variance is allowed from the 1.5 acres minimum standard in Subdivision Code if there is hardship, and the City-County Health Department judges the well and septic systems on the lot meet Health Code.

Mr. FitzGerald moved to approve the request with conditions listed in the staff report. Mr. Duax seconded and the motion carried.

7. RIGHT-OF-WAY DEDICATION AND TEMPORARY EASEMENTS - Birch Street at North Hastings Way and Starr Avenue

John Genskow presented the City's request to approve the dedication of City-owned land for right-of-way and temporary construction easements for the reconstruction of Birch Street at Starr Avenue. Temporary easements for construction is also need for road reconstruction at North Hastings Way.

Mr. Vande Loo moved to recommend approval of the request. Mr. FitzGerald seconded and the motion carried.

8. SITE PLAN (SP-0816) - Office Building, 2524 Golf Road

Mr. Noel presented the applicant, John Speros', request to approve a site plan for a new commercial building as phase two of the Golf Plaza development. The new building is roughly 21,446 square feet and will have a mix of commercial uses. The building's design is similar to the existing phase one building. The applicant provided a parking analysis, which demonstrates there will be enough parking for current uses plus this project. The project also needs approval of a Certified Survey Map to allow this and the future building as part of the overall development. The existing cross drive and parking access easement will need to be amended to tie in the two new lots.

Commissioners discussed adding shade tree islands within the existing parking lot to soften the appearance of the commercial center and reduce heat island effect.

The applicant's attorney, Erwin Steiner, stated the applicant could work with the City Forester to decided best where to place the parking lot tree/landscape islands.

Mr. FitzGerald moved to approve the site plan with conditions listed in the staff report, and adding that the applicant work with the City Forester to locate within the development's parking lot six tree/landscaped islands. Mr. Buchanan seconded and the motion carried.

9. DISCUSSION/DIRECTION

A. Wall and Fencing Amendment

Mr. Tufte addressed the code amendment request letter from Robb Majeski regarding that

Lowes Creek Village is allowed to erect a 6' high privacy wall for their 12 single-family homes. The specific request is to amend the code to allow these types of fences for 10 units or more, be of a high level architecturally, and not cause safety concerns.

Commissioners discussed the request and reviewed current standards for fences allowed in front yards. Consensus was reached that privacy fences around particular residential subdivisions do not integrate the development into neighborhoods and do not promote community.

Mr. Buchanan moved to deny the request and not pursue the issue further. Mr. Vande Loo seconded and the motion carried. Mr. Duax voted nay.

B. Poster Panel Sign Retrofits

Mr. Tufte noted the proposed ordinance has been revised to include cumulative cost of alterations for billboards that are nonconforming by use because the City Attorney indicated this provision is necessary per State Code.

Applicants, Lamar Advertising, were not present to speak to the revised code.

Mr. Duax motioned to table the item until the applicant requests it to be placed on a future agenda. Mr. Buchanan seconded and the motion carried.

C. Code Compliance Items

Mr. Vande Loo noted there is a pickup with what appears to be an illegal sign on it at the corner of Seymour Road and Brookline Avenue.

Mr. Kasyer asked to have the Police Department monitor the parking lots in Owen Park so they are free for park users and university students are not using the lots to attend>

D. Future Agenda Items

Mr. Duax asked staff to look into requiring a grading and dirt moving permit for earthwork. Additionally, he asked to have staff research impervious surface standards.

Mr. Buchanan wanted staff to research how to improve the City's Landscape Manual to include more provisions on tree islands in larger parking lots.

10. Minutes

The minutes of the meeting of April 14, 2008, were approved.

Fred Waedt
Secretary